

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:15-00127

LISA N. MARTIN

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On December 11, 2017, the United States of America appeared by Timothy D. Boggess, Assistant United States Attorney, and the defendant, Lisa N. Martin, appeared in person and by her counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Douglas W. Smith. The defendant commenced a three-year term of supervised release in this action on October 24, 2014, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on July 21, 2014.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed controlled substances as evidenced by a positive urine specimen submitted by her on April 22, 2015, for cocaine; a positive urine specimen submitted by her on April 27, 2015, for cocaine and marijuana, the defendant having admitted to the probation officer that she nasally ingested cocaine and smoked marijuana on April 12, 2015; a positive urine specimen submitted by her on May 5, 2015, for cocaine; the defendant's admission to the probation officer on May 14, 2015, that she nasally ingested cocaine on May 11, 2015; a positive urine specimen submitted by her on May 21, 2015, for cocaine, the defendant having admitted to the probation officer that she used cocaine on May 15, 2015, and on two other occasions after the April 27, 2015, urine collection but prior to the May 5, 2015, urine collection; positive urine specimens submitted by her on May 27 and June 26, 2015, for cocaine; a positive urine specimen submitted by her on September 2, 2016, for norbuprenorphine; a positive urine specimen submitted by her on July 6, 2017, for buprenorphine; the defendant's admission to the probation officer on July 26, 2017, that she used Suboxone during the

months of June and July 2017, by purchasing Suboxone strips illegally and cutting them into five pieces which she used every three days; a positive urine specimen submitted by her on September 18, 2017, for amphetamine, methamphetamine, cocaine and morphine, the defendant having admitted to the probation officer that she intravenously used methamphetamine and heroin, orally used Xanax without a valid prescription and smoked crack cocaine; the defendant's admission to the probation officer on November 1, 2017, that she used methamphetamine approximately eight days prior; and a positive urine specimen submitted by her on November 7, 2017, for cocaine; (2) the defendant failed to report for urine collections as instructed on November 14 and December 4, 2017; and (3) the defendant failed to schedule outpatient substance abuse counseling as instructed; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendment thereto.


And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously

imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of ONE (1) DAY, time served, to be followed by a term of one (1) year of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B), the standard conditions as set forth in Local Rule 32.3 and the special conditions that she, commencing immediately, participate in and successfully complete the 9 to 12 month residential drug treatment program at Recovery Point in Charleston, West Virginia, where she shall follow the rules and regulations of the facility, and that she completely abstain from the use of alcohol.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: December 12, 2017

  
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John T. Copenhaver, Jr.  
United States District Judge